Appn. Number: 10/609,157 (Hai Jiang) Pho M. Luu/2824 Amnt. A, condt. Page 2 of 3

layer(200) and wherein the size of solid electrolyte elements(110) is in the range of about 1-50nm (electrolyte in the range of 25-75 nm, see column 3, paragraph 0037).

Applicant has looked in detail the publication (US.2003/0194865) but does not find any description about a resistive layer with plurality of solid electrolyte. In Figure 3 of the publication (US.2003/0194865), Gilton shows an exemplary memory cell where the resistive element comprises a <u>layer</u> of electrolyte 110 and a layer of metal 112 (see paragraph 0037). The resistive (Ag/Ge₂₅Se₇₅) <u>layer thickness</u> is 25-75 nm and is a different definition from the applicant's invention about the size of electrolyte elements in claim 34.

Gilton indicates that an individual memory <u>cell</u> in his invention includes only a pillar (resistive element) in paragraph 0029 (lines 3, 4). This structure is completely different from the cell structure in applicant's invention where an individual memory <u>cell</u> includes <u>a plurality of</u> resistive elements or electrolyte elements.

Based on the above reasons, applicant requests the examiner to withdraw the rejection.

Conditional Request for Constructive Assistance

Applicant has amended the specification and claims of this application so that they are proper, and define novel structure which is also unobvious. If, for any reason this application is not believed to be in full condition for allowance, applicant respectfully request the constructive assistance and suggestions of the Examiner pursuant to M.P.E.P. § 2173.02 and § 707.07(j) in order that the undersigned can place this application in allowable condition as soon as possible and without the need for further proceedings.

Very respectfully,

h---

Hai Jiang

Certificate of Mailing: I certify that on the date below this document and referenced attachments, if any, will be deposited with the USPS as express mail (Label #: EQ 570-595-923 US) with proper postage affixed in an envelope addressed to "Commissioner for Patents, Alexandria, Virginia 22313-1450"

Feb. 21, 2006 (Hai Jiang)